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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/997,336	11/29/2001	Yakov Kamen	ISURFTV150	4993

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EXAMINER

VAN HANDEL, MICHAEL P

ART UNIT

PAPER NUMBER

2617

DATE MAILED: 01/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/997,336	<b>Applicant(s)</b> KAMEN ET AL.	
	<b>Examiner</b> Michael Van Handel	<b>Art Unit</b> 2617	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.  
     4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
     a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____.  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims **1, 2, 9, 10, 17** are rejected under 35 U.S.C. 102(b) as being anticipated by Davis et al.

Referring to claims **1** and **9**, Davis et al. discloses a method comprising:

- selectively removing at least one character from a text of a program title to create an abbreviated program title, the abbreviated program title retaining an essential meaning of the program title (col. 18, l. 13-22)(Figs. 11a-11b); and
- displaying the abbreviated program title in a program title field of an onscreen program guide, the program title field capable of displaying a specified number of characters (col. 19, l. 19-27).

Referring to claims **2, 10, and 18**, Davis et al. discloses the methods/apparatus of claims **1, 9, and 17**, respectively, wherein selectively removing at least one character includes:

- a) parsing the text of the program title (col. 18, l. 1-3);
- b) determining at least one nonessential, nonrelational word of the program title (the words “the” or “the” and “today”); and

Art Unit: 2617

- c) removing the nonessential, nonrelational word from the program title (Fig. 11a).

Referring to claim 17, Davis et al. discloses an apparatus comprising:

- a memory 115 (col. 17, l. 49-50)(Fig. 1);
- a program title stored within the memory (col. 17, l. 60-63);
- a program title abbreviation software stored within the memory;
- a processor to execute the program title abbreviation software such that an abbreviated program title is created, the abbreviated program title containing a specified number of characters, the abbreviated program title retaining an essential meaning of the program title (col. 18, l. 13-22, 36-43)(Figs. 11a-11b); and
- a display device capable of displaying the specified number of characters (col. 18, l. 15).

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims **3-5, 8, 11-13, 16, 19-20** are rejected under 35 U.S.C. 103(a) as being unpatentable over Davis et al. in view of Kudrolli et al.

Art Unit: 2617

Referring to claims **3**, **11**, and **19**, Davis et al. discloses the methods/apparatus of claims 2, 10, and 17, respectively. Davis et al. does not disclose:

- d) determining at least one relational word of the program title; and
- e) replacing the at least one relational word with a representative character.

Kudrolli et al. discloses replacing the word “and” with the character “&” in order to cope with display space constraints in computer software (Fig. 20). It would have been obvious to one of ordinary skill in the art at the time that the invention was made to modify Davis et al. to include replacing the word “and” with the character “&” such as that taught by Kudrolli et al. in order to make program guides more useful for a viewer and more pleasant to watch (Davis et al. col. 2, l. 38-41). Referring to claim **19**, Davis further does not disclose:

Referring to claims **4**, **12**, and **20**, the combination of Davis et al. and Kudrolli et al. teaches:

- a) determining at least one essential word of a program title;
- b) determining the number of characters necessary to display the at least one essential word; and
- c) abbreviating the at least one essential word if the number of characters necessary to display the at least one essential word is greater than the specified number of characters (Kudrolli et al. col. 7, l. 48-55).

Referring to claims **5** and **13**, the combination of Davis et al. and Kudrolli et al. teaches:

Art Unit: 2617

- f) determining a plurality of essential words of the program title;
- g) determining the number of characters necessary to display the plurality of essential words; and
- h) removing an essential word if the number of characters necessary to display the plurality of essential words is greater than the specified number of characters (the examiner notes that the title word will be deleted only if the prior four steps are exhausted (col. 7, l. 61).

Referring to claims **8** and **16**, the combination of Davis et al. and Kudrolli et al. teaches that an essential word occurring most frequently in a database is removed (Kudrolli et al. col. 7, l. 40-47).

5. Claims **6**, **14** are rejected under 35 U.S.C. 103(a) as being unpatentable over Davis et al. in view of Knaft et al.

Referring to claims **6** and **14**, Davis et al. discloses the methods of claims 2 and 10, respectively. Davis et al. does not disclose that the at least one nonessential, nonrelational word comprises all of the words selected from the group consisting of adverbs, adjectives, prepositions, and articles. Knaft et al. discloses an electronic document retrieval system that removes adjectives or adverbs from the document prior to presenting the document to an information retrieval (IR) engine. It would have been obvious to one of ordinary skill in the art at the time that the invention was made to modify Davis et al. to include removing adjectives or adverbs from an electronic

Art Unit: 2617

document prior to its presentation such as that taught by Knauft et al. in order to provide information to a system that is almost as usable as the original (col. 2, l. 31-33). The USPTO considers the applicant's "selected from the group consisting of" language to be anticipated by any reference containing any of the subsequent corresponding elements.

6. Claims 7, 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Davis et al. in view of Kudrolli et al. and further in view of Hejna, Jr.

Referring to claims 7 and 15, the combination of Davis et al. and Kudrolli et al. teaches the methods of claims 4 and 12, respectively. The combination of Davis et al. and Kudrolli et al. does not teach that the at least one essential word comprises all of the words selected from the group consisting of subject, object nouns, and verbs. Hejna, Jr. discloses removing articles and adjectives from conceptual information contained within TV broadcasts to provide output comprised only of nouns and noun phrases (col. 14, l. 16-19)(col. 16, l. 46-51). It would have been obvious to one of ordinary skill in the art at the time that the invention was made to modify the combination of Davis et al. and Kudrolli et al. to include providing output comprised only of nouns and noun phrases such as that taught by Hejna, Jr. in order to make a program guide more useful to a viewer and more pleasant to watch (Davis et al. col. 2, l. 38-41). The USPTO considers the applicant's "selected from the group consisting of" language to be anticipated by any reference containing any of the subsequent corresponding elements.

*Conclusion*

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Kino et al. discloses a graphical user interface apparatus with improved layout of menu items.

DeLuca et al. discloses an efficient message storage within a selective call receiver.

Batchelder et al. discloses a text abstraction method and apparatus.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Van Handel whose telephone number is 571.272.5968. The examiner can normally be reached on Monday-Friday, 8:00am-5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Kelley can be reached on 571.272.7331. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.


Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Art Unit: 2617

Michael Van Handel  
Examiner  
Art Unit 2617

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